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Agenda item 129

# International residual mechanism for criminal tribunals

## Report of the Fifth Committee

*Rapporteur*: Mr. Noel **González Segura** (Mexico)

## I. Introduction

1. At its 2nd plenary meeting, on 16 September 2011, the General Assembly, on the recommendation of the General Committee, decided to include in the agenda of its sixty-sixth session the item entitled "International residual mechanism for criminal tribunals" and to allocate it to the Fifth Committee.

2. The Fifth Committee considered the item at its 35th and 38th meetings, on 22 May and 12 June 2012. Statements and observations made in the course of the Committee's consideration of the item are reflected in the relevant summary records (A/C.5/66/SR.35 and 38).

3. For its consideration of the item, the Committee had before it the following documents:

(a) Report of the Secretary-General on the construction of a new facility for the International Residual Mechanism for Criminal Tribunals, Arusha branch (A/66/754);

(b) Related report of the Advisory Committee on Administrative and Budgetary Questions (A/66/807).

## II. Consideration of draft resolution A/C.5/66/L.51

4. At its 38th meeting, on 12 June, the Committee had before it a draft resolution entitled "International Residual Mechanism for Criminal Tribunals" (A/C.5/66/L.51), submitted by the Chair of the Committee on the basis of informal consultations coordinated by the representative of Malaysia.

5. At the same meeting, the Committee adopted draft resolution A/C.5/66/L.51 without a vote (see para. 6).



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# III. Recommendation of the Fifth Committee

6. The Fifth Committee recommends to the General Assembly the adoption of the following draft resolution:

## International Residual Mechanism for Criminal Tribunals

*The General Assembly*,

*Recalling* its resolution 66/240 of 24 December 2011,

*Having considered* the report of the Secretary-General on the construction of a new facility for the International Residual Mechanism for Criminal Tribunals, Arusha branch,[1] and the related report of the Advisory Committee on Administrative and Budgetary Questions,[2]

1. *Takes note* of the report of the Secretary-General on the construction of a new facility for the International Residual Mechanism for Criminal Tribunals, Arusha branch;[1]

2. *Endorses* the conclusions and recommendations contained in the report of the Advisory Committee on Administrative and Budgetary Questions,[2] subject to the provisions of the present resolution;

3. *Notes* with appreciation the support of the Government of the United Republic of Tanzania for the work of the International Residual Mechanism for Criminal Tribunals, Arusha branch;

4. *Recalls* paragraphs 5 and 8 of resolution 66/240, and regrets that the report of the Secretary-General did not include sufficient information on the conceptual design, project plan and updated cost estimates of the project;

5. *Notes with concern* that the project duration is estimated to be five years and three months, whereas the initial proposal of the Secretary-General consisted of a two-year project, and requests the Secretary-General to make every effort to reduce the time needed to complete the construction, while guaranteeing the effective oversight of the project;

6. *Takes note* of paragraphs 8 and 19 of the report of the Advisory Committee,[2] and requests the Secretary-General to submit to the General Assembly at the first part of its resumed sixty-seventh session a report providing more detailed information on the key decision points regarding the conceptual design, project plan and overall cost estimate of the project, as well as information on his efforts to reduce the duration of the construction project for the Arusha branch of the Mechanism;

7. *Recalls* paragraph 6 of its resolution 66/240, and decides not to assess the portion of the initial appropriation for 2013, pending consideration of the report requested in paragraph 6 above;

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[1] A/66/754.

[2] A/66/807.

8. *Authorizes* expenditures, from within the amount appropriated in paragraph 6 of its resolution 66/240, to cover expenses related to all the planned activities in the design phase;

9. *Requests* the Secretary-General, through the Office of Central Support Services, to take into account lessons learned and best practices from past construction projects in implementing the project, and to draw in particular from the experience and the know-how acquired from capital projects, including construction at the United Nations Office at Nairobi and the Economic Commission for Africa, and the capital master plan;

10. *Decides* to include in the provisional agenda of its sixty-seventh session the item entitled "Financing of the International Residual Mechanism for Criminal Tribunals".